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October 29, 2015

Ms. Felicia Jackson
US EPA
Region 4, SD – SECEB 11th Floor
61 Forsyth Street, S.W.
Atlanta, GA 30303

Via E-mail: Jackson.felicia@epa.gov

Re: Request for Information Pursuant to Section 104 of CERCLA / Smokey Mountain
Smelters Superfund Site (Knoxville)

Dear Ms. Jackson:

This law firm represents Jerry Sternberg, individually, and the Jerry Sternberg Company, Inc. ("Jerry Sternberg Company"). We are responding, on their behalf, to your letter dated September 25, 2015, which was received at the office of the Jerry Sternberg Company on October 6, 2015. Although the letter is addressed to Jerry Sternberg, most of the questions appear to be directed to the Jerry Sternberg Company. A copy of your letter is attached for reference.

The Questions and Answers are set forth herein. In answering the questions, we have used the defined terms included in your letter. Should you have questions about any of the information in this letter, you should contact me.

1. Confirm all identifying information for Jerry Sternberg Company, Inc., including:
 - a. Legal name, including any "doing business as" name;
 - b. Date and state of incorporation and corporate status;
 - c. Complete mailing and physical address of the central office; and
 - d. Name and mailing address of your registered agent.

Response: The Jerry Sternberg Company, Inc. is a North Carolina Corporation that was formed in 1979. Jerry Sternberg owns all the stock of the corporation. The corporation is in good standing. The mailing address is PO Box 8374, Asheville, NC 28814-8374. The physical



address is 271 Tunnel Road, Asheville, NC 28805-1832. The Registered Agent is Jerry Sternberg, whose mailing address is PO Box 8374, Asheville, NC 28814-8374.

2. Describe the manner of handling any waste materials generated by the business operated at the Site by Jerry Sternberg Company, Inc., providing documentation of such practices including but not limited to the location of any off-site disposal of wastes.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company ever operated any business at the Site.

3. Describe your involvement with each business, operation or other activity conducted at the Site with which you had any connection, providing the timeframes within which each such involvement occurred. For each involvement, specify the nature of your role, including but not limited to information regarding ownership of the property or business, title or job description, and details of your activities and responsibilities. For each involvement, identify each company, partnership, corporation, individual partner, associate, employee or agent also involved.

Response: Jerry Sternberg sold property to David Witherspoon and Daniel Johnson by deed dated September 18, 1979. Mr. Witherspoon and Mr. Johnson located the Smoky Mountain Smelters business on a portion of that property. A copy of the deed from Mr. Sternberg to Witherspoon and Johnson is attached. Neither Jerry Sternberg nor the Jerry Sternberg Company had any involvement with any business at the site.

4. For each business, operation or other activity conducted at the Site identified in response to Question 3, provide information regarding the following:
 - a. Nature of operations;
 - b. Description of all manufacturing, treatment or other chemical or physical processes;
 - c. Production volumes and disposition of each waste product or by-product.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company operated any business or conducted any activity at the Site.

5. Provide any RCRA Facility Investigation (RFI) Reports, RCRA Facility Assessments (RFA) Reports, Corrective Measures Studies, Interim Measures Reports, Confirmatory Sampling Reports, Notices of Hazardous Waste Activity, Closure Plans, and Post-Closure Plan, if any, that have been associated with any business, operation or other activity identified in response to Questions 1 above.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company are aware of or have in their possession any such reports.

6. For each business, operation or other activity identified, provide:
 - a. The responsible legal entity (e.g., corporation, partnership, or other association);
 - b. Documentation of winding down, dissolution and distribution of relevant assets;

- c. Documentation of any associated bankruptcy filing, including a copy of a Statement of Financial Affairs and any other relevant bankruptcy documents.

Response: No business or activity was identified.

7. During the period of any other smelting, resmelting or recycling operation at the Site, what portion of the saltcake and dross was recycled, what portion was stored for later processing, and what portion was disposed of?

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company have any knowledge or information about any activities at the Site.

8. Identify any and all areas both on the Site property and at other locations, which were used for storage and disposal of saltcake, dross and other byproducts and wastes.

Response: No areas were identified.

9. Identify any and all other substances that were generated or stored at the Site, and any and all other substances that were disposed of either at the Site or at another location. Identify any such other locations used for disposal of any wastes.

Response: No substances were identified.

10. Identify the origin, treatment and disposition of any and all wastes received from outside sources for disposal at the Site at any time during which you were involved in the business, operations or other activities at the Site. Include in this information solid waste, liquid or gaseous waste, hazardous waste, and any other waste or other product intended for disposal at the Site. Provide all documentation of all related transactions, including but not limited to correspondence, bills, invoices, bills of lading, receipts, and other transactional records.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company were ever involved in any business, operations or other activity at the Site. Accordingly, Jerry Sternberg and the Jerry Sternberg Company have no knowledge, information or documents responsive to this question.

11. With respect to all persons identified in response to Question 3, identify any who may have knowledge, information or documents about the generation, storage, and disposition of any hazardous material at, to or from the Site.

Response: No persons were identified.

12. Provide copies of all documents, including but not limited to invoices, receipts, manifests, shipping papers, customer lists, contracts, cancelled checks or other payment records, reports, newsletters, notes, records of telephone conversation, or any other correspondence which may reflect, show, or evidence the generation, storage or disposition of Hazardous materials at, to or from the Site.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company were involved in any business, operations or other activity at the Site. Accordingly, Jerry Sternberg and the Jerry Sternberg Company have no documents or records responsive to this request.

13. Provide a list of all property and casualty insurance policies (e.g., comprehensive general liability, environmental impairment liability, and automobile liability policies) applicable to each business, operation or other activity identified in response to Question 1. Specify the insurer, policy, effective dates, and state the per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company are aware of or have copies of any such policies of insurance.

14. For each and every Question contained herein, if any of the documents solicited in this information request are no longer in your possession, custody, or control, then identify each person from whom such information or documents may be obtained. Also indicate the reason why they are no longer available. If the records were destroyed, provide the following:
- The document retention policy applicable to the document;
 - A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
 - A description of the type of information that would have been contained in the documents;
 - The name, job title and most current address of each person: who would have produced these documents, who would have been responsible for the retention of these documents, or who would have been responsible for the destruction of these documents; and
 - The name and most current address of each person who may possess an original or copy of documents relevant to this inquiry.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company were involved in any business, operation or other activity at the Site. Accordingly, Jerry Sternberg and the Jerry Sternberg Company have no documents responsive to this request (assuming such documents exist or ever existed), information or knowledge about documents responsive to this request, any document retention policy covering such documents, any destruction of such documents, the information in such documents, or information as to who prepared the documents and was responsible for them.

15. Identify each additional person not already identified, who may have information responsive to the Questions in this Information Request, and describe the relevant information you believe each may have in his or her possession.

Response: Neither Jerry Sternberg or the Jerry Sternberg Company are aware of any other persons who may have information responsive to this request.

16. Describe your ownership interest and operational role in Smokey Mountain Smelters, Inc., including but not limited to the timeframe of your involvement and the circumstances of termination of involvement.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company had or has any ownership interest or operational role in Smoky Mountain Smelters, Inc.

17. Describe your ownership interest and operational role in Rotary Furnace, Inc., including but not limited to the timeframe of your involvement and the circumstances of termination of involvement. Describe the nature of the relationship between Rotary Furnace, Inc. and Smokey Mountain Smelters, Inc.

Response: Neither Jerry Sternberg nor the Jerry Sternberg Company had or has any ownership interest or operational role in Rotary Furnace, Inc. Neither Jerry Sternberg nor the Jerry Sternberg Company has any information or knowledge about the relationship between Rotary Furnace, Inc. and Smokey Mountain Smelters, Inc.

18. Describe the current status of Jerry Sternberg Company, Inc., including but not limited to its corporate, operational and financial status.

Response: The Jerry Sternberg Corporation is in good standing with the State of North Carolina. The Corporation has limited operations and has no assets.

Sincerely,

ROBERTS & STEVENS, P.A.



William Clarke

BC/sh

Enclosures

cc: Jerry Sternberg (w/ enclosures; via e-mail)